

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 8/19/2008

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PICTURE PATENTS, LLC :

Plaintiff, :

v. :

Case No. 07 CV 05465 (JGK) (HBP)

TERRA HOLDINGS, LLC :
HALSTEAD PROPERTY, LLC :
BROWN HARRIS STEVENS, LLC :

Defendants. :

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PICTURE PATENTS, LLC, :

Plaintiff, :

v. :

Case No. 07 CV 05567 (JGK) (HBP)

AEROPOSTALE, INC., DICK'S :
SPORTING GOODS, INC., CHARLOTTE :
RUSSE, INC., GSI COMMERCE :
SOLUTIONS, INC., FOGDOG, INC., :
NATIONAL BASKETBALL :
ASSOCIATION, NBA PROPERTIES, INC., :
NBA MEDIA VENTURES, LLC, MAJOR :
LEAGUE BASEBALL PROPERTIES, INC., :
MLB ADVANCED MEDIA, L.P., LINENS 'N :
THINGS, INC., TWEETER NEWCO, LLC, :
TWEETER OPCO, LLC, BUY.COM, INC. :

Defendants. :

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**[PROPOSED] ORDER MODIFYING
RULE 26(f) DISCOVERY PLAN AND SCHEDULING ORDER**

This matter having come before the Court upon the application of Plaintiff Picture
Patents, LLC to extend certain discovery deadlines, and the Court having been advised that the

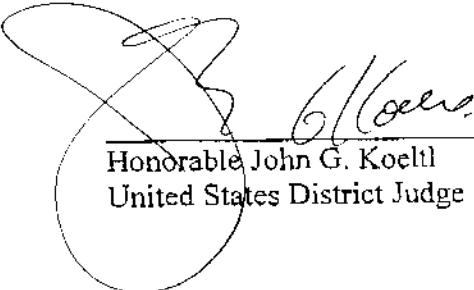
parties require additional time to complete discovery relating to the substantive issues of this litigation; and the Defendants not objecting to the modifications to the current Rule 26(f) Discovery Plan and Scheduling Order; and the Court having considered the pleadings in this matter, and for other and good cause having been shown:

IT IS on this 17 day of August, 2008, **ORDERED** that the Rule 26(f) Discovery Plan and Scheduling Order dated April 9, 2008 (Docket No. 82), is modified as follows:

- i. The parties shall exchange a list of patent claim terms which may need to be construed: September 5, 2008
- ii. The parties shall exchange their proposed claim constructions: September 19, 2008

SO ORDERED:

Dated: 8/17, 2008



Honorable John G. Koeltl
United States District Judge